

**REMARKS**

This response is filed within the initial two-month period following the final Office Action, considering that February 15, 2009 falls on a Sunday and February 16 is a federal holiday. Accordingly, normal two-month provisions of the Rules apply to this after-final Response.

Applicant respectfully traverses the final rejection of claims 1-16 and 25 over the combination of Fujioka (Japan PUPA JP2001-142589), Halepete (US 7,100,061) and the Article by Justice ("What is Guard Band," Credence Systems).

The burden is on the Office to show that a reference teaching exists. There is no mention anywhere in Halepete of "transmitting voltage control information corresponding to a difference between" different voltages. Nor is there any reason to believe that such information would be transmitted in a system operating as described in Halepete. The Office Action merely speculates that such information could be transmitted. This does not meet the Office's burden in establishing the reference teaching.

Halepete describes a system in which control software controls the frequency and voltage at which a processor unit 16 operates. As described therein, "[t]he typical power supplies offer a number of pins (often five) by which different operating voltages may be selected. This allows a range of different voltages to be provided." (col.6 ll.6-9) The control software controls the voltage output by a power supply to the processor by "furnish[ing] a correct value on the input pins of the power supply to cause the computed voltage to be furnished to the frequency generator and the processor." (col.6 ll.10-13)

At best, Halepete merely describes lowering the operating voltage in small steps. (col.6 ll.22-27; col.7 ll.33-35). From this description of Halepete, the ordinarily skilled artisan would understand that the control software outputs information to the programmable voltage generator that directly represents the voltage to be supplied to the processor. Thus, Halepete's system can be presumed to operate in an example where the current voltage is 2.5 V, the new (lowered) voltage is 2.3 V and the stepsize is 50 mV (0.050 V) (col.6 ll.24-25). In such example, one would

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understand that the control software of Halepete causes control information (e.g. commands) to be transmitted to the programmable voltage generator 12 as follows (and the power supply lowering the voltage correspondingly upon receiving each command):

Set Voltage Supply 2.45 V  
Set Voltage Supply 2.40 V  
Set Voltage Supply 2.35 V  
Set Voltage Supply 2.30 V

Clearly, there is no reason to believe that "voltage control information corresponding to a difference between" different voltages is ever transmitted by the processor in Halepete.

By contrast, the recitations in the rejected claims add nontrivial functionality which exceeds that taught by Fujioka/Halepete/Justice. The rejected claims specifically require "transmitting voltage control information corresponding to a difference between" different voltages. By transmitting such information, the claimed apparatus, arrangement and method of independent claims 1, 9 and 25 could operate with a power supply that acts upon the difference-representative voltage control information. For example, with the transmission of such voltage control information, the power supply could lower the voltage whenever it receives information representing a positive difference between the predetermined nominal voltage and the value of the uniquely determined minimum operating voltage plus guard band. Conversely, the power supply could raise the voltage whenever it receives information representing a negative difference between the predetermined nominal voltage and the value of the uniquely determined minimum operating voltage plus guard band. (See ¶¶[0041]-[0045])

Moreover, applicant traverses the Office's application of Justice to the rejected claims for the same reasons as indicated in applicant's responses to prior Office Actions. Finally, for completeness, it is noted that neither Fujioka, nor Halepete nor any other reference of record is cited as teaching the above distinguishing features of claims 1-16 and 25.

In view of the present remarks, it is believed that the application is now in condition for allowance. If, for any reason, the examiner does not believe that such action can be taken at this time, it is requested that she telephone the undersigned at the number indicated below to discuss any


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issues that remain.

If any fees are required in connection with this amendment, authorization is given to debit the Deposit Account No. 09-0458 of the Assignee International Business Machines Corporation. If there is an overpayment, please credit the same account.

Respectfully submitted,  
**Mark Bilak**

By:

  
Daryl K. Neff, Attorney  
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**Please Acknowledge & Return**

Date Mailed February 17, 2009

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Docket No. FIS920040015US1

Filing Date February 20, 2004 SN 10/780,270

Inventors Mark Bilak

Title System and Method of Controlling Power  
Consumption in an Electronic System

Atty \_\_\_\_\_

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☒ Other Response to Final Rejection under Rule 1.116

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